



To: Washington Department of Ecology
15 W Yakima Ave Ste 200
Yakima, WA 98902

From: James Vick
5520 Cove Rd
Ellensburg, WA 98926

RE: Mitigation Plan for Water Right Change Application CS4-00258CTCL.

I am submitting the "Manastash Creek Restoration Project In-Stream Flow Enhancement Implementation Plan" to the Washington Department of Ecology as an amendment to my water right change application. The mitigation is for the upstream move of the point of diversion for Yakima Adjudication Court Claim #0258 and any adverse environmental impacts that may be identified under the State Environmental Policy Act.

By submitting the Manastash Creek Restoration Project Instream Flow Enhancement Implementation Plan as my voluntary mitigation, I understand that my application or applications for POD change for the consolidation of Anderson, Reed Ditch, and Hatfield Ditch, upstream to the MWDA diversion, will commit not to divert water from the consolidated diversion until 6 cfs (before pro-rationing) of adjudicated water rights for instream flow purposes has been obtained and put into trust in perpetuity, in addition to any water saved by the consolidation of Reed, Anderson and Hatfield to the MWDA site.

Sincerely,

James Vick

RECEIVED
JUL 07 2008
DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
 OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF
 ECOLOGY MUST ACCOMPANY THIS APPLICATION**



(Check all that apply.)

- ☐ Change purpose(s) of use
☐ Add purpose(s) of use
☒ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☐ Change/transfer place of use
☐ Other (i.e. consolidation, intertie, trust water)

Explain: _____

| FOR OFFICE USE ONLY | |
|---|-------------------------|
| CHANGE No. <u>CS4-00258CTCL</u> | WRIA <u>39</u> |
| DATE ACCEPTED <u>09/26/06</u> | BY <u>[Signature]</u> |
| FEE \$ <u>1470.00</u> | REC'D <u>09/18/2006</u> |
| CHECK No. <u>8942</u> | |
| SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt | |

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

| | | |
|-------------------------|-----------|----------------|
| APPLICANT/BUSINESS NAME | PHONE NO. | FAX NO. () |
| ADDRESS | | |
| CITY | STATE | ZIP CODE |

| | | |
|--|------------------|----------------|
| CONTACT NAME (IF DIFFERENT FROM ABOVE) | PHONE NO. () | FAX NO. () |
| ADDRESS | | |
| CITY | STATE | ZIP CODE |

2. Water Right Information:

| | |
|--|---|
| WATER RIGHT OR CLAIM NUMBER 00258 (Priority Date 06-30-1877, 22.5 ac) | RECORDED NAME(S) Wayne Smith & Margaret Smith, Lou Tasker & Diana Tasker |
| DO YOU OWN THE RIGHT TO BE CHANGED? YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| IF NO, PROVIDE OWNER(S) NAME and ADDRESS: 17-18-07020-0012 (158333) Richard Johnson – 5330 Cove Rd, Ellensburg, WA 98926 17-18-07020-0004 (288333) James Vick – 5520 Cove Rd 17-18-07020-0020 (398433) Lou Tasker – 5650 Cove Rd 17-18-07020-0011 (318333) Larry Smith – 25239 139 th PL SE, Kent WA 98042 17-18-07051-0001 (11642) Robert Ray – 5450 Cove Rd 17-18-07051-0002 (11643) Alan Keeti 9627 183 rd Ave E, Bonney Lake, WA 98390 17-18-07052-0001 (11644) Craig Stillwell – 7331 Mary Ave NW, Seattle, 98117 17-18-07052-0002 (11645) Gilbertson – 5456 Cove Rd | |
| HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input type="checkbox"/> YES <input type="checkbox"/> NO | |

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. See attached Yakima River Basin Water Rights Adjudication, Subbasin No. 11 (Manastash) info.

| FOR OFFICE USE ONLY | | | |
|---------------------|------------------|-----------------|---------------------------|
| APP. NO. _____ | PERMIT NO. _____ | CERT. NO. _____ | CERT. OF CHANGE NO. _____ |

Court Case 00258 Sub 11 Manastash

ECY 040-1-97 (11/04) updated to 7/05

- 1 -

Application for Change

CS4-00258CTCL

J. Gady 4570 Hanson Rd. Ellensburg WA 98928

3. Point(s) of Diversion/Withdrawal:

A. Existing

| SOURCE | NO. | ¼ | ¼ | SEC. | TWP. | RGE. | PARCEL # | WELL TAG # |
|-------------------------|-----|----|----|------|------|------|------------------------------|------------|
| Manastash Creek Reed | | SW | SW | 12 | 17 | 17 | 17-17-12030-0029 (275033) | |
| | | | | | | | | |

B. Proposed

| SOURCE | NO. | ¼ | ¼ | SEC. | TWP. | RGE. | PARCEL # | WELL TAG # |
|-------------------------|-----|----|----|------|------|------|------------------------------|------------|
| Manastash Creek MWDA | | NW | NE | 14 | 17 | 17 | 17-17-14010-0011 (215133) | |
| | | | | | | | | |

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

Existing: Douglas John. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

| PURPOSE OF USE | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|----------------|------------|------------|---------------------|
| Irrigation | 0.52 cfs | | April 1 - June 30 |
| Irrigation | 0.26 cfs | | July 1 - October 31 |
| Irrigation | | 158.6 AF | Annually |
| | | | |

B. Proposed SAME

| PURPOSE OF USE | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|----------------|------------|------------|---------------|
| | | | |
| | | | |
| | | | |

5. Place of Use:

A. Existing

| | | | | | | | |
|---|-----|------|------|------|----------|----------|------------|
| LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED: | | | | | | | |
| The S ½ and the west 265 feet of N ½ of Government Lot 1 and Government Lot 2, Section 7, T17N, R18E WM. | | | | | | | |
| ¼ | ¼ | SEC. | TWP. | RGE. | COUNTY | PARCEL # | # OF ACRES |
| S ½ | N ½ | 7 | 17 | 18 | Kittitas | | 22.5 |
| DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME: | | | | | | | |

B. Proposed SAME

| | | | | | | | |
|---|---|------|------|------|--------|----------|------------|
| LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED: | | | | | | | |
| ¼ | ¼ | SEC. | TWP. | RGE. | COUNTY | PARCEL # | # OF ACRES |
| | | | | | | | |
| DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME: | | | | | | | |

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER? ☐ YES ☐ NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

| | |
|--|----------------|
| _____ | ____/____/____ |
| (Applicant) | (Date) |
| X <u>James W. Vick</u> | <u>3/17/08</u> |
| (Water Right Holder) | (Date) |
| X <u>Peggy L. Vick</u> | <u>3/17/08</u> |
| (Land Owner(s) of Existing Place of Use) | (Date) |

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|---|---|
| <input type="checkbox"/> APPLICATION FEE NOT ENCLOSED | <input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE |
| <input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED | <input type="checkbox"/> SECTION _____ IS INCOMPLETE |
| <input type="checkbox"/> OTHER/EXPLANATION: _____ | |

STAFF: _____ DATE: ____/____/____

6. Remarks and Other Relevant Information:

Reed POD: 600 feet north and 700 feet east from the southwest corner of Section 12, being within the SW ¼ SW ¼ of Section 12, T17N, R17E WM.

MWDA POD: 500 feet south and 150 feet east of the north quarter corner of section 14, being within the NW ¼ NE ¼ of Section 14, T17N, R17E WM.

POU Parcel Number(s):

17-18-07020-0012 (158333) Richard Johnson – 5330 Cove Rd, Ellensburg, WA 98926
17-18-07020-0004 (288333) James Vick – 5520 Cove Rd
17-18-07020-0020 (398433) Lou Tasker – 5650 Cove Rd
17-18-07020-0011 (318333) Larry Smith – 25239 139th PL SE, Kent WA 98042
17-18-07051-0001 (11642) Robert Ray – 5450 Cove Rd
17-18-07051-0002 (11643) ~~Alan Kesti – 9627 183rd Ave E, Bonney Lake, WA 98390~~
17-18-07052-0001 (11644) Craig Stillwell – 7331 Mary Ave NW, Seattle, 98117
17-18-07052-0002 (11645) Gilbertson – 5456 Cove Rd

*W. Coady 4570 Hanson Rd.
Ellensburg WA 98926*

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Kevin E. Tasker
(Applicant)

7/25/06
(Date)

(Water Right Holder)

(Date)

(Land Owner(s) of Existing Place of Use)

(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

ATTACHMENT FOR APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal - ☒ Existing ☒ Proposed:

| SOURCE | NO. | ¼ | ¼ | SEC. | TWP. | RGE. | PARCEL # | WELL TAG # |
|------------------------------------|-----|----|----|------|------|------|------------------------------|------------|
| Manastash Creek-Reed (Existing) | | SW | SW | 12 | 17 | 17 | 17-17-12030-0029 (275033) | |
| Manastash Creek-MWDA (Proposed) | | NW | NE | 14 | 17 | 17 | 17-17-14010-0011 (215133) | |

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☐ YES ☐ NO - IF NO, PROVIDE OWNER(S) NAME:

Existing: Douglas John. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Purpose(s) of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

| PURPOSE OF USE | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|----------------|------------|------------|---------------------|
| Irrigation | 0.52 cfs | | April 1 - June 30 |
| Irrigation | 0.26 cfs | | July 1 - October 31 |
| Irrigation | | 158.6 AF | Annually |

B. Proposed

| PURPOSE OF USE | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|----------------|------------|------------|---------------|
| | | | |
| | | | |
| | | | |
| | | | |

Place of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

| LEGAL DESCRIPTION OF LANDS: | | | | | | | |
|--|-----|------|------|------|----------|-----------|------------|
| The S ½ and the west 265 feet of N ½ of Government Lot 1 and Government Lot 2, Section 7, T17N, R18E WM. | | | | | | | |
| ¼ | ¼ | SEC. | TWP. | RGE. | COUNTY | PARCEL # | # OF ACRES |
| S ½ | N ½ | 7 | 17 | 18 | Kittitas | See below | 22.5 |
| DO YOU OWN THE RIGHT TO BE CHANGED? YES <input type="checkbox"/> NO <input type="checkbox"/> | | | | | | | |
| IF NO, PROVIDE OWNER(S) NAME and ADDRESS: | | | | | | | |
| 17-18-07020-0012 (158333) Richard Johnson - 5330 Cove Rd, Ellensburg, WA 98926 | | | | | | | |
| 17-18-07020-0004 (288333) James Vick - 5520 Cove Rd | | | | | | | |
| 17-18-07020-0020 (398433) Lou Tasker - 5650 Cove Rd | | | | | | | |
| 17-18-07020-0011 (318333) Larry Smith - 25239 139 th PL SE, Kent WA 98042 | | | | | | | |
| 17-18-07051-0001 (11642) Robert Ray - 5450 Cove Rd | | | | | | | |
| 17-18-07051-0002 (11643) Alan Kesti - 9627 183 rd Ave E, Borney Lake, WA 98390 | | | | | | | |
| 17-18-07052-0001 (11644) Craig Stillwell - 7331 Mary Ave NW, Seattle, 98117 | | | | | | | |
| 17-18-07052-0002 (11645) Gilbertson - 5456 Cove Rd | | | | | | | |
| * May not all have historic water use. | | | | | | | |

*Ready 4570 + Hanson Rd.
Ellensburg WA
98928*